



Yellowstone County

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Return To:
Twin Oaks Corporation
175 North 27th Street, Suite 900
Billings, Montana 59101

SEPTEMBER OF 2009, AMENDMENT OF DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS

For

Twin Oaks Subdivision, Phase I.

This Amendment executed this 14th day of September, 2009, by the undersigned is as follows:

RECITALS

WHEREAS, on the 16th day of July, 2008, the Declaration of Restrictions and Protective Covenants for Twin Oak Subdivision, Phase I, were recorded in the office of the County Clerk and Recorder's office as Document 3473050; and

WHEREAS, the undersigned with the full authority and power to modify and amend the Declaration of Restrictions and Protective Covenants above referenced, does hereby declare as follows:

1. That the recitals as set forth above are hereby incorporated herein by reference.
2. That the Declaration of Restrictions and Protective Covenants above referenced are hereby modified and affirmed as follows:
 - A. That the Covenants above referenced shall be modified by replacement of the existing Paragraph 7.0 with the following provisions:

FENCING:

7.0 Backyards and side yards may be fenced with 4 foot vinyl fencing, white in color. The side yard fence must be a 4 foot solid fence. The backyard fence, if adjacent to a city park, must be 4 foot picket fence, and may have a maximum of one gate allowing access from the backyard to the park area. If the backyard is not adjacent to a city park, the fence must be 4 foot tall solid fence. The front yard toward the public road shall not be fenced. The style of fence must be approved by the Twin Oaks Architectural Committee prior to fence being installed.

3. The undersigned hereby ratify and affirm the Declaration of Restrictions and Protective Covenants for Twin Oaks Subdivision except where inconsistent with



the terms and conditions contained and set forth in this Amendment. The undersigned are vested with the power and authority to enter into and execute this Amendment pursuant to Section 15, paragraphs 15.1, 15.2. and 15.3 of the above referenced Covenants.

- 4. That the Covenants and Conditions contained and set forth herein shall run with and bind the lands described in the Covenants and Amendments above referenced.
- 5. Twin Oaks Corporation, a Montana corporation, is the owner of more than two-thirds of the lots described as Twin Oaks Subdivision, 1st phase.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of this 14th day of September, 2009.

Twin Oaks Corporation, a Montana Corporation.

By: *Gary Oakland*
Gary Oakland

Its: President

On this 14 day of September 2009 before me, the undersigned Notary Public for the State of Montana, personally appeared Gary Oakland, known to me to be the ~~authorized Officer~~ ^{*PRESIDENT} of Twin Oaks Corporation, a Montana Corporation, that executed the foregoing instrument and acknowledged to me that said Company executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and affixed by Official Seal the day and year in this certificated first above written.



Kelly K. Wilson
Notary Public in and for the State of Montana
Printed name: KELLY K WILSON
Residing at: Billings Montana
My Commission expires: 7/23/2011